

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 18-10101-RWZ

UNITED STATES OF AMERICA

v.

RAMON SOSA

ORDER

January 11, 2019

ZOBEL, S.D.J

Defendant Ramon Sosa is charged with possession with intent to distribute cocaine and cocaine base, 21 U.S.C. § 841(a)(1), possession of a firearm as a felon, 18 U.S.C. § 922(g)(1), and possession of a firearm in furtherance of a drug trafficking offense, 18 U.S.C. § 924(c).

On November 7, 2018, after conducting several hearings, Magistrate Judge Bowler ordered defendant detained. Docket # 27. Before the court is defendant's appeal of that order, which this court reviews de novo. United States v. Tortora, 922 F.2d 880, 883 n.4 (1st Cir.1990). After hearing argument on January 8, 2019, and carefully reviewing the record, I agree with Magistrate Judge Bowler's conclusion and find that defendant shall be detained pending trial.

Defendant has a history of severe substance abuse and a lengthy criminal record, which includes, *inter alia*, assault and battery, various drug offenses, and larceny. This prosecution involves a significant quantity of drugs, an unlawfully

possessed firearm, and ammunition. In light of these facts, I find by clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any person and the community. 18 U.S.C. § 3142 (e)(1).

Moreover, I am convinced by a preponderance of the evidence that defendant poses a risk of flight. Id. He faces a lengthy mandatory minimum sentence, has an impressive history of pretrial defaults in state court, and allegedly fled from law enforcement agents when they arrived for the instant arrest.

The court appreciates defense counsel's zealous advocacy in seeking defendant's release to an in-patient drug treatment program. However, there is no evidence of an institution that will accept defendant, adequately address the public safety concerns just noted, and reasonably assure the defendant's appearance as required. Nor is there evidence of defendant's ability to live under the typically rigidly enforced rules of such a facility.

For the foregoing reasons, defendant's request to amend the detention order (Docket # 30) is denied.

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January 11, 2019

Date

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/s/Rya W. Zobel

Senior United States District Judge